

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on September 21, 2010.

Acting Mayor Gover presided and called the meeting to order at 6:30 p.m.

Acting Mayor Gover led the Pledge of Allegiance.

The following members of the Council answered roll call physically present: YEA Commissioner Randy Ervin, YEA Commissioner Rick Hall, YEA Commissioner Chris Rankin, YEA Acting Mayor Tim Gover.

Also physically present were City personnel: City Administrator Sue McLaughlin, City Attorney & Treasurer J. Preston Owen, Community Development Coordinator Kyle Gill, and City Clerk Susan O'Brien.

Commissioner Hall seconded by Commissioner Ervin moved to approve the consent agenda consisting of minutes of the regular meeting September 7 and Special meeting September 13, 2010; Finance Reports for the month of August, 2010; bills and payroll for the first half of September, 2010.

Bills and Payroll first half of September, 2010

<u>General Fund</u>		
Payroll		\$ 231,683.46
Bills		<u>\$ 69,843.39</u>
	Total	\$ 301,526.85
<u>Hotel Tax Fund</u>		
Payroll		\$ 1,666.65
Bills		<u>\$ 15,671.57</u>
	Total	\$ 17,338.22
<u>Festival Management</u>		
Bills		<u>\$ 3,280.60</u>
	Total	\$ 3,280.60
<u>Capital Project Fund</u>		
Bills		<u>\$ 199,750.47</u>
	Total	\$ 199,750.47
<u>Midtown TIF District</u>		
Bills		<u>\$ 108,646.81</u>
	Total	\$ 108,646.81
<u>Water Fund</u>		
Payroll		\$ 25,393.10
Bills		<u>\$ 48,060.48</u>
	Total	\$ 73,453.58
<u>Sewer Fund</u>		
Payroll		\$ 33,407.01
Bills		<u>\$ 45,442.29</u>
	Total	\$ 78,849.30
<u>Motor Fuel Tax Fund</u>		
Bills		<u>\$ 321,476.20</u>
	Total	\$ 321,476.20
<u>Health Insurance</u>		
Bills		<u>\$ 68,518.41</u>
	Total	\$ 68,518.41

Acting Mayor Gover opened the floor for discussion with no responders.

Acting Mayor Gover declared the motion to approve the consent agenda carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

PUBLIC COMMENTS/PRESENTATION AND NON-AGENDA ITEMS:

Mr. Charles Young commended the Council on efforts to resolve his concern of vehicles at #3 Brown Court.

Mrs. Jackie Record, Chairman of Depot Restoration Committee, invited the Council to attend the Depot Rededication Ceremony on October 15, 2010.

Mr. Terry Kroening, owner of Mattoon Diner, voiced his concerns over the dumpsters and drainage adjacent to the YMCA parking lot; and handicapped parking spaces on Broadway Avenue. Administrator McLaughlin explained the new parking lot plans, but would continue to evaluate the alley.

Mr. Bob Becker voiced concerns over counter productivity by the City in using outside firms to provide design engineering on both parking lots. Commissioner Ervin had received similar input from other constituents, and noted the use of local engineers in the future.

Mr. Terry Kroening also requested the City to evaluate the condition of the sidewalks and curbs on Broadway Avenue. Acting Mayor Gover stated the City would review the request.

Acting Mayor Gover called for additional questions with no responders.

NEW BUSINESS:

Acting Mayor Gover seconded by Commissioner Ervin moved to adopt Special Ordinance 2010-1400, granting a special use for the construction of a telephone central office (Point-of-Presence) facility located at 2501 Thomason Drive. (AT&T)

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2010-1400

AN ORDINANCE GRANTING A SPECIAL USE FOR THE CONSTRUCTION OF A TELEPHONE CENTRAL OFFICE (POINT-OF-PRESENCE) FACILITY LOCATED AT 2501 THOMASON DRIVE.

WHEREAS, Jim Little, AT&T Services, Senior Project Manager for following described property:

That part of the East ½, of the Southeast ¼, of Section 16, Township 12 North, Range 8 East of the Third Principal Meridian, Coles County, Illinois, described as follow: commencing at an existing iron pin on the East line of the Southeast ¼, of said Section 16 lying 978.26 feet (as recorded) North of the Southeast corner of said Section 16; thence S. 88°30'32"W.-930.75 feet to the point of beginning, marked by an existing iron pin; thence N. 0°12'03"W.-500.13 feet to an existing drill hole; thence N.88°31'35"E.-130.00 feet to a drill hole set; thence S.0°12'03"E.-500.08 feet to an iron pin set; thence S.88°30'32"W.130.00 feet to the point of beginning, containing 1.49 acres, more or less.

Commonly known as, 2501 Thomason Drive, Mattoon.

has filed a petition with the City Clerks Office of the City of Mattoon, requesting that said premises to be granted a special use for the lawful right to construct a telephone central office (Point-of-Presence) facility; and

WHEREAS, said premises is zoned I, Industrial District which does allow Utility Companies with a special use; and

WHEREAS, a public hearing was held in accordance with §159.05 of the Mattoon Code of Ordinances on September 14, 2010; and

WHEREAS, the Planning Commission for the City of Mattoon, Coles County, Illinois, has recommended that the requested special use permit be granted with certain conditions to be addressed; and

WHEREAS the City Council for the City of Mattoon, Coles County, Illinois, deems that it would be in the public interest to approve a special use permit for the construction of a telephone central office (Point-of-Presence) facility.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. Pursuant to enabling authority provided at Section §159.05 of the Mattoon Code of Ordinances, the property legally described as aforesaid, be and the same is granted a special use permit, with the following condition, for the construction of a telephone central office (Point-of-Presence) facility in an I, Industrial Zoning District. Approval is subject to the following conditions:

- a. The property is platted in accordance with the Mattoon Subdivision Ordinance.
- b. The planting of deciduous, ornamental or evergreen trees, or a combination of such trees, every 50 linear feet around the building and parking lot area.

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective upon its approval as provided by law.

Section 4. The City Clerk shall make and file a duly certified copy of this ordinance with the Clerk and Recorder's Office of Coles County, Illinois.

Upon motion by Acting Mayor Gover, seconded by Commissioner Ervin, adopted this 21st day of September, 2010, by a roll call vote, as follows:

AYES (Names):	<u>Commissioner Ervin, Commissioner Hall,</u> <u>Commissioner Rankin, Acting Mayor Gover</u>
NAYS (Names):	<u>None</u>
ABSENT (Names):	<u>None</u>

Approved this 21st day of September, 2010.

/s/ Tim Gover
Tim Gover, Acting Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

APPROVED AS TO FORM:

/s/ J. Preston Owen
J. Preston Owen, City Attorney & Treasurer

Recorded in the Municipality's Records on September 22, 2010.

Acting Mayor Gover opened the floor for discussion with no responders.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Acting Mayor Gover seconded by Commissioner Hall moved to adopt Special Ordinance 2010-1401, approving a variance to the sign code of the municipality on real estate known as Cross County Mall at 700 Broadway Avenue East.

CITY OF MATTOON, ILLINOIS
SPECIAL ORDINANCE NO. 2010-1401

AN ORDINANCE APPROVING A VARIANCE TO THE SIGN CODE OF THE MUNICIPALITY ON REAL ESTATE KNOWN AS, CROSS COUNTY MALL AT 700 BROADWAY AVE. EAST.

WHEREAS, there was filed with the Community Development Coordinator of the City of Mattoon, County of Coles, Illinois, a certain Petition by Brett Stillwell of ASD Architects, praying that variance be granted from requirements of the sign code of the municipality on real estate described as:

700 Broadway Avenue East

WHEREAS, said Petition was reviewed by the Community Development Coordinator and recommended to the City of Mattoon Planning Commission; and

WHEREAS, said Petition was submitted to the Planning Commission for their recommendation on September 14, 2010; and

WHEREAS, said Petition was considered by the Planning Commission on September 14, 2010; and was recommended by a majority vote, that the Petition be allowed, and that a variance be granted from requirements of the sign code.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mattoon as follows:

Section 1. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. A variance is hereby granted from requirements of the sign code as authorized by Section §160.13 of Chapter 160 of the Code of Ordinances of the City of Mattoon for real estate described as 700 Broadway Ave. East, a.k.a. Cross County Mall, to allow the replacement of the main freestanding sign on the property at a height of thirty-six (36) feet tall and a sign area of two-hundred-seventy (270) feet.

Section 3. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 4. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Acting Mayor Gover, seconded by Commissioner Hall, adopted this 21st day of September, 2010, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Hall,
Commissioner Rankin, Acting Mayor Gover

NAYS (Names): None

ABSENT (Names): None

Approved this 21st day of September, 2010.

/s/ Tim Gover
Tim Gover, Acting Mayor
City of Mattoon, Coles County, Illinois

ATTEST:
/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

APPROVED AS TO FORM:
/s/ J. Preston Owen
J. Preston Owen, City Attorney & Treasurer

Recorded in the Municipality's Records on September 22, 2010.

Acting Mayor Gover opened the floor for discussion. Council discussed the sign with input from Coordinator Gill.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Commissioner Ervin seconded by Commissioner Hall moved to adopt Special Ordinance 2010-1402, approving a one-year contract renewal of the collective bargaining agreement with the AFSCME, AFL-CIO, Council 31, Local 3821.

**CITY OF MATTOON, ILLINOIS
SPECIAL ORDINANCE NO. 2010-1402**

**AN ORDINANCE APPROVING A ONE YEAR CONTRACT RENEWAL OF THE COLLECTIVE BARGAINING
AGREEMENT WITH THE AFSCME, AFL-CIO, COUNCIL 31, LOCAL 3821**

BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. The Council hereby approves a one year contract renewal to the "Collective Bargaining Agreement" dated September 21, 2010 with the American Federation of State, County and Municipal Employees, Local 3821, AFL-CIO, a copy of which is attached and incorporated by reference.

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Ervin, seconded by Commissioner Hall, adopted this 21st day of September, 2010, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Hall,
 Commissioner Rankin, Acting Mayor Gover
NAYS (Names): None
ABSENT (Names): None

APPROVED this 21st day of September, 2010.

/s/ Tim Gover
Tim Gover, Acting Mayor
City of Mattoon, Coles County, Illinois

ATTEST:
/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

APPROVED AS TO FORM:
/s/ J. Preston Owen
J. Preston Owen, City Attorney & Treasurer

Recorded in the Municipality's Records on September 22, 2010.

Acting Mayor Gover opened the floor for discussion. Commissioner Ervin commended the union's contract negotiations and appreciated their efforts. AFSCME Local President Rick Shook and Secretary Shannon Laue thanked the Council's and Administrator's support and expressed their willingness to extend their contract to help the City.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Commissioner Hall seconded by Commissioner Ervin moved to adopt Resolution 2010-2817, approving the utilization of ambulance billing software and procedures, authorizing the Intergovernmental Agreement between the City of Charleston and the City of Mattoon, and authorizing the Mayor to sign the agreement.

**CITY OF MATTOON, ILLINOIS
RESOLUTION NO. 2010-2817**

A RESOLUTION APPROVING THE UTILIZATION OF AMBULANCE BILLING SOFTWARE AND PROCEDURES, AND AUTHORIZING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF CHARLESTON AND THE CITY OF MATTOON, ILLINOIS, AND AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT.

WHEREAS, the City of Mattoon and the City of Charleston operate ambulance services within their respective municipalities; and

WHEREAS, the City of Charleston has obtained and utilizes billing software and procedures; and

WHEREAS, the billing software and procedures utilized by the City of Charleston have sufficient capacity to handle the billing needs of both the City of Charleston and the City of Mattoon; and

WHEREAS, the City of Mattoon had approved a previous two-year agreement with Resolution 2008-2745 on June 17, 2008;

WHEREAS, the City of Mattoon would benefit from continued utilization of the City of Charleston's billing services for the purposes of ambulance billing for the City of Mattoon; and

WHEREAS, an Intergovernmental Agreement by and between the City of Charleston and the City of Mattoon is attached hereto and incorporated herein by reference.

NOW THEREFORE BE IT RESOLVED City of Mattoon hereby authorizes the Mayor to execute and to enter into the attached Intergovernmental Agreement between the City of Mattoon, Illinois and the City of Charleston, Illinois for the purpose of utilizing ambulance billing for the City of Mattoon.

Upon motion by Commissioner Hall seconded by Commissioner Ervin adopted this 21st day of September, 2010, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Hall,
 Commissioner Rankin, Acting Mayor Gover
NAYS (Names): None
ABSENT (Names): None

Approved this 21st day of September, 2010.

/s/ Timothy D. Gover
Timothy D. Gover, Acting Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney & Treasurer

Recorded in the Municipality's Records on September 22, 2010.

Acting Mayor Gover opened the floor for discussion with no responders.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Commissioner Rankin seconded by Commissioner Ervin moved to approve Council Decision Request 2010-1145, ratifying the agreement between the City of Mattoon and Design Perspectives in the amount of \$7,000 for professional landscape design services of Progress Square Parking Lot.

Acting Mayor Gover opened the floor for discussion. Commissioner Rankin stated the selection of an outside firm was for their landscape architects with no locally-owned landscape architects. Administrator McLaughlin stated their specialty in landscape architecture and agreement with using local firms in the future.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Commissioner Rankin seconded by Commissioner Hall moved to approve Council Decision Request 2010-1146, approving the amended plans and specifications; and authorizing the solicitation for competitive bidding of the Progress Square Parking Lot.

Acting Mayor Gover opened the floor for discussion. Administrator McLaughlin mentioned the changes to the lighting determined by Electrical Inspector Matt Frederick.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Commissioner Rankin seconded by Commissioner Ervin moved to approve Council Decision Request 2010-1147, authorizing the Mayor and City Clerk to sign a License Agreement with Kentucky Data Link, Inc. for the use of the City's rights-of-way to allow the installation of a fiber optic network.

Acting Mayor Gover opened the floor for discussion. Council discussed the network plan and installation of poles with Coordinator Gill confirming the use of existing poles and underground lines, and former Director Wortman's review of the plans.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Commissioner Rankin seconded by Commissioner Ervin moved to approve Council Decision Request 2010-1148, ratifying the agreement between the City of Mattoon and Rempe-Sharpe & Associates, Inc. in the amount of \$14,800 for professional engineering services of YMCA Parking Lot.

Acting Mayor Gover opened the floor for discussion. Administrator McLaughlin discussed the two designs and drainage issues with anticipated completion by December 1, 2010.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Commissioner Rankin seconded by Commissioner Ervin moved to approve Council Decision Request 2010-1149, approving the plans and specifications; and authorizing the solicitation for competitive bidding of the YMCA Parking Lot.

Acting Mayor Gover opened the floor for discussion. Administrator McLaughlin introduced Mr. Jim Bibby of Rempe-Sharpe & Associates, Inc. who reviewed the two designs, and requested input from the Council regarding access to 16th Street. Council discussed the parking lot designs with input from Mr. Tony Sparks of the YMCA and Administrator McLaughlin, Attorney & Treasurer Owen and Mr. Bibby.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

COMMUNICATIONS - COUNCIL AND CITY STAFF

DEPARTMENT REPORTS:

CITY ADMINISTRATOR – updated the Council on current events including the Public Works, Fire Department, and Police Department, due to the absence of the Chiefs. Acting Mayor Gover opened the floor for questions with no responses.

ATTORNEY & TREASURER – reviewed the financial reports and noted the fire and police pension reports. Acting Mayor Gover opened the floor for questions with no responses.

COMMUNITY DEVELOPMENT – updated the Council on nuisances, LED lights, and demolitions.

COMMENTS BY THE COUNCIL

Commissioner Ervin – questioned the status of the Quality Inn and litigation of Young’s Radiator property. Coordinator Gill provided a progress report on Quality Inn. Administrator McLaughlin noted Quality Inn’s attempt to become the 1000th hotel opened by Choice Inns. Attorney & Treasurer Owen updated the Council on the filings against Young’s Radiator.

Commissioner Rankin, Commissioner Hall and Acting Mayor Gover had no additional comments.

Commissioner Hall seconded by Commissioner Ervin moved to adjourned at 7:26 p.m.

Acting Mayor declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

/s/ Susan J. O’Brien
City Clerk